

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WILLIE STEVENSON,

Plaintiff,

v.

STATE OF MISSOURI,

Defendant.

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No. 4:08-CV-1404-DDN

MEMORANDUM AND ORDER

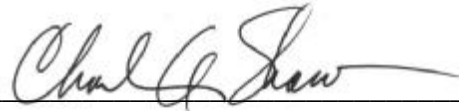
Plaintiff, an inmate at the Eastern Reception Diagnostic and Correctional Center, brings this action under 42 U.S.C. § 1983, seeking monetary relief for constitutional violations arising out of “strip searching all the prisoners.” Plaintiff has not paid the \$350 filing fee nor has he sought leave to proceed in forma pauperis.

The Court will not afford plaintiff an opportunity to submit a motion to proceed in forma pauperis, because a review of plaintiff’s previous filings indicates that he has filed at least three cases that were dismissed as frivolous, malicious, or for failure to state a claim. See Stevenson v. McPheeters, No. 01-3174-CV-S-SOW-P (W.D. Mo.) (denying plaintiff leave to proceed in forma pauperis and dismissing case pursuant to 28 U.S.C. § 1915(g), citing Stevenson v. Miller, No. 97-0944-CV-W-6-P (W.D. Mo.); Stevenson v. Bahl, No. 97-0782-CV-W-6-P (W.D. Mo.); and Stevenson v. Heflin, No. 94-0441-CV-W-6-P (W.D. Mo.)). Under 28 U.S.C. § 1915(g), the Court may not grant plaintiff in forma pauperis status unless he “is under imminent danger of serious physical injury.” A review of the instant complaint indicates that plaintiff is not under “imminent danger of serious physical injury.” As a result, the Court will dismiss this action without prejudice to refile as a fully-paid complaint.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

A handwritten signature in cursive script, appearing to read "Charles A. Shaw", written in black ink.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of October, 2008.